

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SOUTHEASTERN PENNSYLVANIA
TRANSPORTATION AUTHORITY,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

THE BANK OF NEW YORK MELLON
CORPORATION, MELLON BANK N.A.,
THE BANK OF NEW YORK MELLON,

Defendants.

CIVIL ACTION NO. 11-cv-01628 (JHS)

**DECLARATION OF JOSEPH H. MELTZER IN SUPPORT OF PLAINTIFF
SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY'S
OPPOSITION TO DEFENDANTS' MOTION TO DISMISS THE
SECOND AMENDED CLASS ACTION COMPLAINT**

Pursuant to 28 U.S.C. § 1746, Joseph H. Meltzer declares as follows:

1. I am a member of the bar of the Commonwealth of Pennsylvania and counsel for Plaintiff, Southeastern Pennsylvania Transportation Authority ("SEPTA").

2. I respectfully submit this Declaration in support of SEPTA's Opposition to Defendants' Motion to Dismiss the Second Amended Complaint. I declare under penalty of perjury that the foregoing is true and correct.

3. Attached hereto are true and correct copies of the following exhibits:

Exhibit A: Pension Reserves Investment Management Board for the Commonwealth of Massachusetts ("Mass PRIM") Examination of Foreign Exchange Currency Transactions Handled by BNY Mellon between 2007 and 2011, dated June 13, 2011;

Exhibit B: Minute Order issued in *State of California Ex Rel Associates Against FX Insider Trading v. State Street Corp.*, No. 34-2008-00008457-CU-MC-GDS (Cal. Super. Ct. Mar. 30, 2010);

Exhibit C: Complaint in Intervention filed in *Commonwealth of Virginia, et al. ex rel. FX Analytics v. The Bank of New York Mellon Corporation*, No. CL-2009-15377 (Va. Cir. Ct. filed Aug. 11, 2011);

Exhibit D: Selected pages from a Third Quarter 2009 presentation by BNY Mellon Asset Servicing (available at http://www.google.com/url?sa=t&source=web&cd=1&ved=0CB8QFjAA&url=http%3A%2F%2Fwww.bnymellon.com%2Fforesight%2Fpdf%2Froadmap.pdf&rct=j&q=quantitative%20proof%20that%20an%20agent%20or%20trader%20obtained%20the%20best%20possible%20price%20on%20the%20market&ei=bt5KTvzEE6P50gGJpvjqBw&usg=AFQjCNHrtgRF_PmNObXlufMZ_UFFQkqE_VQ, last accessed Aug. 16, 2011); and

Exhibit E: May 20, 2011 screenshot from BNY Mellon's FX Website (callouts are added).

I declare under I declare under penalty of perjury that the foregoing is true and correct.

Dated: August 17, 2011

/s/Joseph H. Meltzer
Joseph H. Meltzer